

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION
v.	:	
	:	NO. 1:12-CR-053-SCJ-RGV-02
HEATHER COTE	:	

O R D E R

The Court, having read and considered the Government's unopposed motion to extend the time to try Heather Cote, hereby ORDERS that the motion be GRANTED.

This Court finds by a preponderance of the evidence that the Government has made an official request for evidence likely to be found in a foreign country, Germany, within the meaning of 18 U.S.C. § 3161(h)(8). Accordingly, the Government's unopposed request complies with 18 U.S.C. § 3161(h)(8), which permits this Court to exclude up to one year due to the pendency of such an official request for evidence. This Court does so without prejudice to the right of either party to seek exclusion of further time up to the 1-year permitted under U.S.C. § 3161(h)(8), should such party believe that the timing of Germany's response and/or the nature of any further evidence provided necessitate further time to allow adequate review of such evidence.

The Court further FINDS that, pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by allowing this extension to facilitate plea negotiations and potentially avoid the necessity and expense of a trial outweigh the interest of the public and the Defendant in a speedy trial.

Absent further exclusions, the Government shall have until October 24, 2012, to bring defendant Cote to trial. The time from the entry of this order through and including September 19, 2012 is hereby excluded from the Speedy Trial Act.

SO ORDERED, this 21st day of June, 2012.

s/Steve C. Jones
STEVE C. JONES
UNITED STATES DISTRICT COURT JUDGE

Presented by:
Brian Pearce, AUSA